

DOCKET FILE COPY ORIGINAL

WC 05-341

SWIDLER BERLIN LLP

The Washington Harbour
3000 K Street, N.W., Suite 300
Washington, D.C. 20007-5116
Phone 202.424.7500
Fax 202.424.7647
www.swidlaw.com

RECEIVED

NOV 18 2005

Federal Communications Commission
Office of Secretary

VIA COURIER

November 18, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
c/o Natek, Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

**Re: Section 63.17 Application of McLeodUSA Telecommunications Services, Inc.
for Authority to Discontinue Interstate DSL Services in Selected Areas**

Dear Ms. Dortch:

On behalf of McLeodUSA Telecommunications Services, Inc., enclosed for filing are an original and six (6) copies of the above-referenced application.

Please date stamp the extra copy of this filing and return it in the envelope provided. Should you have any questions with respect to this matter, please do not hesitate to contact me at (202) 424-7697.

Respectfully submitted,



Brett P. Ferencak

Enclosure

RECEIVED
2005 DEC -1 P 4: 18
REGISTRATION DIV.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

RECEIVED

NOV 18 2005

Federal Communications Commission
Office of Secretary

In the Matter of)	
)	
Section 63.71 Application of)	
)	
McLeodUSA Telecommunications)	WC Docket No. 05-_____
Services, Inc.)	
)	
For Authority to Discontinue Interstate)	
DSL Service in Selected Areas)	

SECTION 63.71 APPLICATION

McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"), through its undersigned counsel, hereby files this application to discontinue Digital Subscriber Line ("DSL") service pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, in selected areas defined herein. In support of this Application, McLeodUSA submits the following information:

1. Applicant's name and address are as follows:

McLeodUSA Telecommunications Services, Inc.
McLeodUSA Technology Park
6400 C Street, SW
Cedar Rapids, Iowa 52406-3177

2. The anticipated date for the discontinuance of service is January 13, 2006, or as soon thereafter as the necessary governmental approval can be obtained.

3. The proposed discontinuance of service will affect service in Indianapolis, Indiana, South Dakota, Austin, Texas and southeastern Wisconsin, but only within the rate centers designated by the following CLLI codes: MARNIN02 (Marion rate center), VRMLSDCO (Vermillion rate center), AUSTTXWA (Austin rate center), and DLVNW111

(Delavan rate center), respectively. The discontinuance will affect approximately 15 customers in each rate center.

4. McLeodUSA proposes to discontinue provision of its interstate special access DSL service, which is used for high-speed internet access.

5. McLeodUSA provided written notice to affected customers on November 18, 2005, in accordance with the requirements of Section 63.71(a). A copy of the customer notice is attached hereto as Exhibit A.

6. McLeodUSA is non-dominant with respect to the interstate special access DSL service that it proposes to discontinue.

7. McLeodUSA has not sought approval for the proposed discontinuation of service from any state public utility commission because the service it proposes to discontinue is interstate in nature pursuant to *GTE Telephone Operating Cos., GTOC Tariff No. 1, Trans. No. 1148*, 13 FCC Rcd. 22,466 (1998). Nevertheless, in accordance with Section 63.71(a) of the Commission's rules, McLeodUSA has mailed a copy of this Application to the Governor and the public service commission of the states of Indiana, South Dakota, Texas, and Wisconsin and to the Special Assistant for Telecommunications for the Secretary of Defense. McLeodUSA emphasizes that it does not propose to discontinue the provision of any intrastate service and does not seek to cancel or amend any existing state or federal license or tariff.

8. Questions regarding this application may be addressed to the undersigned counsel to Applicant.

McLeodUSA believes that the proposed discontinuance is reasonable and necessary. McLeodUSA will take all reasonable steps, to the extent it is able, to assure that the discontinuance of service is not unduly disruptive to the present or future public convenience and

necessity. For the foregoing reasons, McLeodUSA respectfully requests, pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a) and Section 63.71 of the Commission's Rules, that the Commission permit it to discontinue the provision of DSL services to certain customers pursuant to Section 63.71.

Respectfully submitted,

McLeodUSA Telecommunications Services, Inc.



Richard M. Rindler
Brett P. Ferencak
SWIDLER BERLIN LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
Tel: (202) 424-7500
Fax: (202) 424-7647
E-mail: RMRindler@swidlaw.com
BPFerencak@swidlaw.com

Its Counsel

Dated: November 18, 2005

Exhibit A

CUSTOMER NOTICE LETTER



McLeodUSA Technology Park
P.O. Box 3177
Cedar Rapids, IA 52406-3177

mcleodusa.com

November 18, 2005

[Customer Name]

[Address 1]

[Address 2]

[City, State, Zip]

Dear McLeodUSA DSL Customer,

Thank you for your business with McLeodUSA. We regret to inform you that as of January 13th, 2006 McLeodUSA will no longer be offering DSL service in your area. Specifically, McLeodUSA will cease to offer DSL service in the areas served by the Marion, Indiana (MARNIN02); Vermillion, South Dakota (VRMLSDCO); Austin, Texas (AUSTTXWA) and Delavan, Wisconsin (DLVNW11) rate centers.

This only affects your DSL service and will not affect any other service that we may be providing to you. You will not be charged any early termination or cancellation fees associated with this location and may keep or discard any McLeodUSA-provided DSL equipment. You may also choose another Broadband (DSL, cable or wireless, etc.) service provider for your home or business. We will be able to assist you in that transition.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the § 63.71 Application of McLeodUSA Telecommunications Services, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

A McLeodUSA StarQuality[®] Certified Customer Care representative will be contacting you within seven business days to discuss this letter and to answer any questions you may have.

If you have questions regarding this change with your DSL service, please contact a McLeodUSA DSL Customer Care Representative at 1-800-230-1058.

Sincerely,

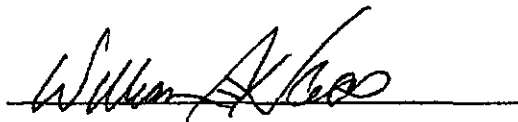
McLeodUSA

VERIFICATION

STATE OF IOWA :
 :
 : ss.
COUNTY OF LINN :

I, William A. Haas, being first duly sworn, state that I am Associate General Counsel of McLeodUSA Incorporated, the parent company of the McLeodUSA Telecommunications Services, Inc., the applicant in the foregoing *Section 63.71 Application of McLeodUSA Telecommunications Services, Inc. for Authority to Discontinue DSL Service in Selected Areas*; that I am authorized to make this Verification on behalf of Applicant; that I have read the foregoing Application and know the contents thereof; and that the same are true and correct to the best of my knowledge and are made in good faith.


McLEODUSA INCORPORATED



By: William A. Haas

Associate General Counsel

Sworn and subscribed before me this 18 th day of November, 2005.

 Notary Public

My commission expires September 28, 2008.



CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application of McLeodUSA Telecommunications Services, Inc. was served this ~~16~~¹⁵ day of November, 2005, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.

Secretary of Defense
Attn: Special Assistant for Telecommunications
The Pentagon
Washington, D.C. 20301

Governor Mitch Daniels
206 State House
200 West Washington Street
Indianapolis, IN 46204

Governor Mike Rounds
State Capitol
500 East Capitol Avenue
Pierre, SD 57501-5070

Governor Rick Perry
State Capitol
P.O. Box 12428
Austin, TX 78711

Governor Jim Doyle
State Capitol
P.O. Box 7863
Madison, WI 53707-7863

Nancy E. Manley, Executive Secretary
Indiana Utility Regulatory Commission
302 West Washington Street
Suite E306
Indianapolis, IN 46204

Pam Bonrud, Executive Director
South Dakota Public Utilities Commission
500 E. Capitol Avenue
Capitol Building, 1st Floor
Pierre, SD 57501-5070

Courtney Todd, Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, Texas 78711-3326

Christy L. Zehner, Secretary
Public Service Commission of Wisconsin
610 N. Whitney Way
Madison, WI 53705-2750



Brett P. Ferenchak